



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.14554 of 2018

Mariselvam

: Petitioner

Vs.

1.The State through

The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
[Crime No.116 of 2018].

..1st Respondent/Complainant

2.Ramki

..2nd Respondent/Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records pertaining to the First Information Report in Crime No.116 of 2018 on the file of the first respondent police and quash the same.

For Petitioners
For R-1

: Mr.V.Malaiyendran
: Ms.S.Bharathi
Government Advocate

For R-2

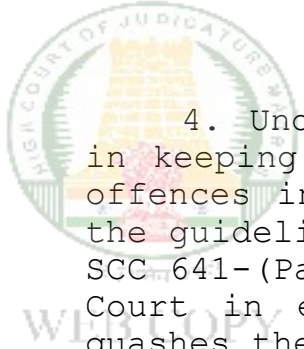
: Mr.B.Charmurugan

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.116 of 2018 on the file of the first respondent police for an alleged offences under Sections 294(b), 324, 307 and 506(ii) of IPC.

2. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioner and the second respondent and also by their respective counsel. The parties were also present before the Court and they were identified by Mr.Sathish Narayanan, SI of Police and they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.



4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.116 of 2018.

5. It is made clear that the First Information Report shall stand quashed only insofar as the petitioner is concerned. The police is at liberty to continue with the investigation insofar as the other accused persons are concerned and this order will not tenure to the benefit of the other accused persons.

6. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.116 of 2018 on the file of the first respondent police is quashed and the terms of Joint Compromise Memo shall form part and parcel of this order. The petitioner shall pay a sum of Rs.2000/- as costs, to the credit of the "Environment Fund" (payable in Account No.6656485009, Member Secretary, Tamil Nadu State Legal Services Committee), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar (WRITS)

/True Copy/

Sub Assistant Registrar (CS-II)

Encl: Xerox Copy of Joint Compromise Memo

To

1. The Inspector of Police,
SIPCOT Police Station, Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

1. The Member Secretary,
Tamil Nadu State Legal Services Committee,
Chennai.
2. The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

+1CC TO MR.V.MALAIYENDRAN, ADVOCATE IN SR.NO.78678.

SJI